United Nations CEDAW/C/BGR/QPR/8

Convention on the Elimination of All Forms of Discrimination against Women

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Committee on the Elimination of Discrimination against Women

List of issues and questions prior to the submission of the eighth periodic report of Bulgaria

General

1. Please state the specific measures that have been adopted to address the lack of gender-specific statistical data in the State party's combined fourth to seventh periodic reports (CEDAW/C/BGR/4-7) and provide information and statistics, disaggregated by age, urban and rural areas, ethnicity and religion, on the current situation of women in the State party and on their enjoyment of human rights in all areas covered by the Convention.

Visibility of the Convention

2. In the light of the Committee's previous concluding observations (CEDAW/C/BGR/CO/4-7, para. 10),[1] please provide information on measures taken to ensure that women in the State party are aware of their rights under the Convention and about the communications and inquiry procedures provided for under the Optional Protocol thereto, and on support available for them to invoke those rights, including by lodging complaints through the legal system when their rights have been violated. Please also indicate whether those instruments, as well as the Committee's general recommendations and its views under the Optional Protocol, have been translated into Bulgarian.

3. Please provide information on efforts made to include the Convention and its Optional Protocol as an integral component of training for judges, lawyers, prosecutors, police officers and other law enforcement officials. Please also provide information on cases of discrimination against women brought before the courts and their outcome and indicate whether the Convention was invoked before the courts.

Legal framework for equality

4. In the light of the Committee's previous concluding observations (paras. 12 and 20), please provide updated information on the content of the Act on Gender Equality and indicate whether it prohibits all forms of discrimination on the grounds

[1] Unless otherwise indicated, paragraph numbers refer to the Committee's previous concluding observations.

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of sex and gender, including intersecting forms of discrimination, in all areas covered by the Convention and in accordance with the State party's obligations under articles 1 and 2 (b) of the Convention and in line with target 5.1 and indicator 5.1.1 of the Sustainable Development Goals. Please also indicate whether the Act provides for sanctions in case of violations of its provisions and for temporary special measures, in accordance with article 4, paragraph 1, of the Convention and the Committee's general recommendation No. 25 (2004) on temporary special measures.

Legal complaint mechanisms

5. Please inform the Committee about steps taken or envisaged to enable the Ombudsman to fully comply with the principles relating to the status of national institutions for the promotion and protection of human rights (the Paris Principles). Please clarify the distinction between the areas of competence of the Ombudsman and those of the Commission for Protection against Discrimination. Please also provide information on complaints of discrimination against women received by both institutions, including in cases of indirect and multiple forms of discrimination, assistance provided to victims in the process of filing complaints under article 47, paragraph 9, of the Protection against Discrimination Act, the outcome of those cases and sanctions imposed under article 47, paragraph 3. Please provide information on measures taken to shift the burden of proof away from women alleging discrimination on the grounds of sex and to enforce that shift. Please also provide information on cases referred by the Commission to the courts, on the value attached by the courts to decisions of that body and on the outcome of those cases. Please indicate the number of court cases in which legal aid was provided by the State party and describe applicable procedures for informing victims of their right to free legal aid, in line with the Committee's general recommendation No. 33 (2015) on women's access to justice.

National machinery for the advancement of women

6. In its common core document, the State party refers to the National Council on Gender Equality (HRI/CORE/BGR/2014, para. 100). Please indicate the status and mandate of the Council and provide information about its activities. Please also indicate whether the Council, or another institution, has the power to coordinate, monitor and evaluate government policies in terms of their impact on gender equality and whether the institution with that mandate is represented at the local level and in all ministries. Please provide information on the financial, human and technical resources allocated to the institution with that mandate. Please also provide information about and examples of collaboration between the Council and civil society and support provided by the Council to civil society organizations, including associations of women's rights defenders.

7. Please provide updated information on the priority areas of the national strategy for promoting equality between women and men for the period 2016–2020, the human, technical and financial resources available for the strategy and the institution in charge of its monitoring, implementation and evaluation. Please also indicate whether the strategy provides for the mainstreaming of a gender perspective in all areas and sectors of the State party.

Temporary special measures

8. Please indicate whether any temporary special measures, in accordance with article 4, paragraph 1, of the Convention, the Committee's general recommendation No. 25 and article 7, paragraph 1 (13), of the Protection against Discrimination Act, have been adopted to accelerate the achievement of substantive equality between women and men in all areas covered by the Convention. Please include information,

including statistical data, on the inequalities that such measures are designed to address, how they are enforced and monitored and the results achieved.

Stereotypes and harmful practices

9. Please provide information on education and public information programmes that have been implemented or are under way to address gender stereotypes and discrimination against women and overcome stereotypical attitudes about the roles and responsibilities of women and men in the family and in society, including through awareness-raising campaigns and the sensitization of the media, in line with the Committee's general recommendation No. 3 (1987) on education and public information campaigns. Please also provide updated information on cases in which discriminatory attitudes towards women have been detected by the Council for Electronic Media (HRI/CORE/BGR/2014, para. 106) and the criteria employed by the Council to screen media programmes, and provide details of the programmes screened.

Violence against women

10. Please indicate measures taken or planned for the ratification and implementation of the Council of Europe Convention on Preventing and Combating Violence against Women and Domestic Violence. Please specify the legal measures taken to implement the Committee's recommendations (para. 26) with regard to the criminalization of domestic violence and marital rape, ensuring the possibility of ex officio prosecution for both offences and the issuance of protection orders without the need for the victim's consent, easing the burden of proof in favour of the victims of gender-based violence, especially in cases of domestic violence, and removing the one-month time limit for filing protection order petitions. Please provide information on programmes and policies aimed at implementing the corresponding amended or newly adopted legal framework. Please also provide information on the types of violence that are addressed by the annual national programmes for prevention and protection against domestic violence and the impact of those programmes, especially in terms of preventing violence against women and girls in all its forms, in line with the Committee's general recommendation No. 35 (2017) on gender-based violence against women, updating general recommendation No. 19.

11. Please provide up-to-date data on the reporting of cases of gender-based violence, including domestic violence and marital rape, and subsequent prosecutions and convictions. Please also provide information on measures taken to further develop capacity-building for judges, police officers and other law enforcement officials on violence against women and its causes and consequences, as recommended by the Committee (para. 26 (d)), and indicate whether those subjects are included in initial training as well as being a component of continuous education. Please specify the measures taken to ensure that courts duly consider the possible existence of domestic violence in child custody cases. Please also provide details on means of redress and protection available to women who are victims of violence and the resources allocated for such services, including those provided by non-governmental organizations. In particular, please provide information on the number of protection orders requested and issued during the reporting period and the availability and geographical distribution of State-funded shelters. Please also advise the Committee as to whether a free 24-hour hotline for victims of all forms of violence has been established and, if it has, with what results.

Trafficking and exploitation of prostitution

12. The State party has indicated that the National Commission to Combat Trafficking in Human Beings keeps statistical data on trafficking

(HRI/CORE/BGR/2014, para. 101). Please provide comprehensive, disaggregated data on the patterns and dynamics of trafficking in the State party and information on existing and envisaged legal and social mechanisms designed to identify, combat and prevent the trafficking and sexual exploitation of women and girls. Please also provide data on the number of women and girls who have fallen victim to trafficking, as well as on the number of criminal proceedings initiated in that regard and their outcome, sentences imposed and compensation paid. Please indicate measures taken to combat impunity and corruption, especially in cases involving government officials in the trafficking and exploitation of women and girls, and to promote international cooperation with other States and organizations in efforts to combat trafficking in persons, especially women and girls.

13. Please describe measures taken to address the root causes of trafficking, including by improving the economic situation of women and girls, in particular Roma women, so as to eliminate their vulnerability to exploitation and traffickers (para. 28). Please indicate measures taken to assist and protect all women who are victims of trafficking, including through financial support for civil society organizations that provide such services, increase the number of shelters for victims, establish compensation mechanisms and strengthen programmes for the reintegration of victims into society. Please also provide information on legal provisions for the protection of victims of or witnesses to trafficking.

14. Please provide information on the number of reported cases of exploitation of women in prostitution, on corresponding investigations, prosecutions and convictions and on the penalties imposed on the perpetrators and clients. Please describe measures taken to implement the Committee's recommendation (para. 28 (d)) that strategies be developed to prevent the exploitation of women and girls in prostitution. Please also provide information on support, including access to alternative livelihoods, available to women in prostitution who wish to leave prostitution.

Participation in political and public life

15. Please provide updated information on the situation of women, in particular disadvantaged groups of women, with regard to their participation in political and public life, and on measures taken, including legislation, electoral reforms or the use of incentives or sanctions, to increase their number in elected and appointed bodies, in particular in decision-making positions both in the public sector, including the public administration, the Government, the parliament, the diplomatic service, political parties, the judiciary, academic institutions and State-owned enterprises, and in the private sector at the national, regional and local levels. Furthermore, please provide information on steps taken to raise awareness of the importance of the participation of women in political and public life and to offer and support training programmes for current and future women leaders.

Education

16. Please provide data, disaggregated by sex, age, ethnicity and rural and urban areas, on education in the State party, in particular with regard to access and disparities therein between urban and rural areas and the enrolment and retention rates of girls and women at all levels of education and in all areas of study.

17. Please also provide information on:

(a) Measures taken to reduce the dropout rates of girls, especially Roma girls, and reintegrate them into the education system;

(b) Innovative strategies in place and measures taken to diversify the educational and professional choices of women and to ensure their participation in

traditionally male-dominated fields of study, such as science, technology and engineering, including through counselling programmes;

(c) The inclusion of age-appropriate sexual and reproductive health and rights education in curricula at all levels of education;

(d) Measures taken to eliminate stereotypical attitudes about the roles and responsibilities of women and men in textbooks, curricula and teacher training.

Employment and economic empowerment

18. Please provide information on the impact of the national employment strategy for the period 2008–2015 on vertical and horizontal occupational segregation, about which the Committee expressed its concern previously (para. 33), as well as on the rate of unemployment of women, in particular Roma women. Please also provide comprehensive data on women employed in the informal sector and at home and on measures taken to facilitate their participation in formal employment, for example by providing opportunities to combine career and family life and encouraging the application of flexible working hours, in line with article 139 of the Labour Code. Please indicate whether the State party is considering ratification of the International Convention on the Protection of the Rights of All Migrant Workers and Members of Their Families and the International Labour Organization Domestic Workers Convention, 2011 (No. 189).

19. Please indicate measures taken by the State party to lift the minimum wage and apply provisions guaranteeing equal pay for work of equal value (art. 243 of the Labour Code). Please provide the list of activities in which gender is a genuine and determining occupational requirement, in accordance with article 7, paragraphs 1 (2) and 2, of the Protection against Discrimination Act, and examples of the application of exceptions on the basis of religion, belief or gender under article 7, paragraph 1 (3) and (4). Please also provide information on measures taken to apply article 5 of the Act on workplace discrimination based on sex and sexual harassment. Please describe steps taken to achieve a more balanced distribution of professional and family responsibilities between women and men, including efforts to encourage men to benefit from paternity leave, in accordance with article 163 of the Labour Code, and from parental leave, among other things by ensuring that parental leave is paid. Please also explain what measures have been taken to enhance the equal representation of women in management and on the supervisory boards of public and private companies.

Economic and social benefits

20. In the light of the Gini coefficient in the State party in 2013, indicating one of the highest degrees of inequality in the distribution of family income in Europe, the fact that poverty tends to affect women most and the Committee's previous concluding observations (para. 40), please provide information on measures taken to mainstream a gender perspective into all poverty alleviation and development programmes and to ensure that the levels of social benefits guarantee an adequate standard of living for women and their families. Please also provide information on current research and findings regarding the impact of low tax contributions, resulting from high rates of informal and undeclared work, on spending on women's rights, essential social services and the provision of social benefits to women and girls.

Health

21. Please provide information on the status of women's health, including sexual and reproductive health, and specifically on the prevalence of HIV among women and girls, maternal mortality, breast and cervical cancer and measures taken to address

those issues. Please also describe programmes and policies aimed at promoting access for girls and women, in particular those living in marginalized and remote areas and uninsured pregnant women, to health-care information services, as recommended by the Committee on the Rights of the Child (CRC/C/BGR/CO/3-5, para. 24). Please also indicate measures taken to promote access to health insurance for those population groups, ensure that health-care providers are fully aware of the particular health-care needs of women, promote education on sexual and reproductive health rights, paying special attention to the prevention of teenage pregnancy, and provide adequate family-planning services and affordable contraceptives (para. 36). Please inform the Committee about the status of adoption of the patients' bill of rights and responsibilities and about mechanisms for complaint and redress available to women who are victims of health-care related discrimination and abuse (para. 38).

Rural women

22. Please provide information and statistical data on the situation of rural women, in particular the number of rural women who own land and have access to credit facilities, social services and retirement benefits. Please also provide information on the impact of the rural development programme for the period 2007–2013 on rural women and how the programme for the period 2014–2020 incorporates a gender perspective, includes targeted support for rural women to increase their participation in political and public life and enhance their access to justice, provides them with protection, support and assistance when they are subjected to gender-based violence and ensures their access to health-care services, employment and land ownership and management, in addition to economic opportunities.

Roma women

23. Please provide statistical information on the education, health, employment and social, economic and political status of Roma women and girls, as well as on the prevalence of violence against Roma women in the State party. Please describe the impact of the national Roma inclusion strategy on the situation of Roma women and girls, including through measures taken and planned to address widespread discrimination against them, in particular in education, employment, access to the health-care system and housing.

Women facing intersecting forms of discrimination

24. In the light of the Committee's previous concluding observations (para. 44), please provide comprehensive disaggregated statistical data on the situation of disadvantaged groups of women, such as ethnic and religious minorities, migrant women, older women, women with disabilities and lesbian, bisexual and transgender women and intersex persons, in all areas covered by the Convention, in addition to information on specific programmes. Please indicate measures taken to address the recent increases in the number of asylum seekers, refugees and irregular migrants in the State party, in compliance with international humanitarian and human rights law. Please also provide information on the situation of migrant women and girls in reception centres, in particular whether they are accommodated separately from men and attended by female social workers and an adequate number of qualified medical officers, the sanitary and health-care conditions in those centres, the duration of administrative detention, integration policies and family reunification options available to migrant women and girls. Please provide information on financial support granted to women and girls accommodated in reception centres, mechanisms for identifying the special needs of vulnerable asylum applicants and their referral to other services and coordination between those services. Please also indicate the number of women who have been granted international protection on the grounds of

gender-based persecution, specifying the forms of persecution feared, and provide details of training provided to case workers on the gender-sensitive treatment of cases. Please also specify measures taken to protect Muslim women, especially those who wear a headscarf, from discrimination and guarantee their participation in the political and public spheres.

Marriage and family relations

25. Please provide information on current research and findings regarding gender differences in the economic consequences of the dissolution of marriages or de facto relationships. Please indicate measures taken to extend joint marital property to intangible property, including pension and insurance benefits and other career assets, and ensure that joint property is divided equally (para. 48). Please also provide information on measures taken to guarantee that women receive child maintenance from their former husbands or partners, including through a subsidy payment provided by the State. Please provide data on the extent of child marriage (para. 50) and indicate measures taken or envisaged to more efficiently address and prevent child and forced marriages in the Roma and Kalaidzhi population and provide victims with appropriate rehabilitation and counselling services and shelters. Please also provide information on cases of forced and child marriage that have been investigated and prosecuted, and on the sanctions imposed.

Additional information

26. Please provide an update on recent legislative, policy, administrative or other measures taken to implement the provisions of the Convention and the Committee's concluding observations since the consideration of the State party's combined fourth to seventh periodic reports, in 2011. This may include laws, developments, plans and programmes, the ratification of human rights instruments or any other information that the State party considers relevant.